

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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3069  
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X

MIDLAND INNOVATIONS, NV,

Plaintiff,

COMPLAINT

-against-

Trial by jury is  
demanded.

WEILAND INTERNATIONAL, INC., and  
WEN WANG,

Defendants.

X

Plaintiff, Midland Innovations, NV ("Midland"), as and for its complaint against Defendants, Weiland International Inc., ("WEI") and Wen Wang ("Wang") alleges, upon information and belief, as follows:

**PARTIES**

1. Midland is a corporation with an address of the Netherlands, Antilles.
2. On information and belief, WEI is a corporation of the State of New Jersey, with an address of 285 Penns Way, Basking Ridge, New Jersey 07920.
3. On information and belief, Wang is an individual with an address of 285 Penns Way, Basking Ridge, New Jersey 07920.

### **JURISDICTION AND VENUE**

4. The jurisdiction of this Court arises under 28 U.S.C. §1331 and U.S.C. §1338(a).
5. Venue is proper in this district pursuant to 28 U.S.C. §1391 and 28 U.S.C. §1400(b), for the reasons, inter alia, that a substantial part of the events or omissions giving rise to the claims occurred in this district, the defendant does business in this district and has committed acts of infringement in this district.

### **GENERAL ALLEGATIONS**

6. On December 28, 1999, US Letters Patent No. D418,166 entitled Sheet Holder (the "166 Patent" was duly, and legally issued. (Exhibit A)
7. The "166" patent was duly assigned to Midland.
8. At all relevant times herein Midland has been the owner of all right, title and interest in and to the "166" Patent.
9. Pursuant to 35 U.S.C. §282, the "166" Patent is presumed to be valid.
10. Wang and WEI, are patent infringers as defined by 35 U.S.C. § 271, having already infringed and, upon information and belief, are infringing and inducing infringement of the claim of the "166" Patent by making, using, and selling products as claimed in this patent. (Pictures

of the infringing item are included as Exhibit B.)

11. Midland had notified Defendants of its Patent, in accordance with 35 U.S.C. §287.
12. Defendants infringement has been willful, deliberate and intentional.
13. Defendants have unjustly profited from its infringement of the Patent, and has caused Midland to lose profits Midland would have made, but for Defendants' infringement.

### **FIRST CLAIM FOR RELIEF**

( Patent Infringement in Violation of 35 U.S.C. §271 )

14. Plaintiff realleges and incorporates by reference, as if fully set forth herein, paragraphs 1 through 13 of this complaint.
15. The above-described acts of Defendants constitute infringement of the "166" Patent under 35 U.S.C. §271.
16. As a direct consequence of Defendants' infringement, Plaintiff has sustained damages

**WHEREFORE**, Plaintiff demands entry of judgment as follows:

- (a) A declaration that the above U.S. Patent is valid and enforceable;
- (b) A declaration that Defendant(s) directly infringed and/or induced infringement of one or more claims of the patent;

( c ) A permanent injunction to prevent Defendant(s), their successors, and assigns, and all persons or entities acting on behalf of, in privity with, or acting in concert with Defendant(s) from engaging in conduct which infringes the above patent, pursuant to 35 U.S.C. §283;

(d) Judgment requiring Defendant(s) to pay Plaintiff damages under 35 U.S.C. §289, and that Defendant(s) willfully infringed the above patent and are required to pay Plaintiff treble damages of more than \$6,000,000;

(e) A declaration that this is an exceptional case, pursuant to 35 U.S.C. §285, and that Plaintiff be awarded attorney's fees, costs and expenses; and

(f) An award of such other and further relief, as the Court deems just and proper.

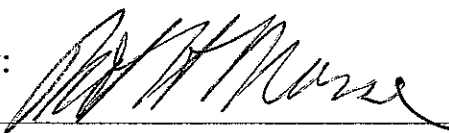
**JURY DEMAND**

Plaintiff demands trial by jury of all issues triable by jury.

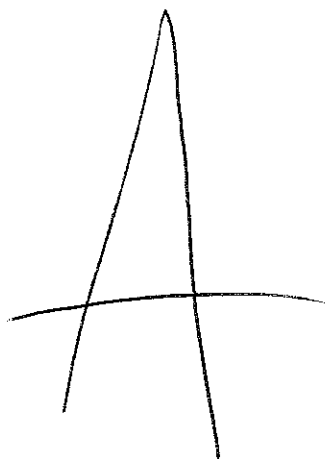
Dated: March/8, 2005

STEPHEN E. FELDMAN, P.C.  
Attorneys for Plaintiff

By:

  
Kenneth Feldman (KF-6003)  
Robert H. Morse (RM-1613)  
12 E. 41<sup>st</sup> St.  
New York, NY 10017  
Tel: 212.532.8585

Fax: 212.532.8598



**United States Patent** [19]  
**Dill**

[11] **Patent Number:** Des. 418,166  
[45] **Date of Patent:** \*\* Dec. 28, 1999

[54] **SHEET HOLDER**

[76] **Inventor:** Etienne Dill, 28, Rue Mchul, 93500  
Pantin, France

[\*\*] **Term:** 14 Years

[21] **Appl. No.:** 29/069,237

[22] **Filed:** Mar. 17, 1997

[30] **Foreign Application Priority Data**

Mar. 11, 1997 [FR] France 97 1453

[51] **LOC (6) CL.** 19-02

[52] **U.S. CL.** D19/88; D19/90; D19/91;  
D6/310

[58] **Field of Search** D6/300, 310; 40/124 01;  
D19/35, 36, 41-51, 53-58, 81-85, 86, 88,  
90, 91, 95, 99, 100; 248/441 1, 442.2, 450,  
451, 453, 910, 473

[56] **References Cited**

**U.S. PATENT DOCUMENTS**

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D 101,143 9/1936 Shank D6/310  
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**FOREIGN PATENT DOCUMENTS**

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*Primary Examiner*--Martie K. Holje

*Attorney, Agent, or Firm*--Greenblum & Bernstein, P.L.C.

[57] **CLAIM**

I claim the ornamental design for a sheet holder, as shown and described.

**DESCRIPTION**

FIG. 1 is a perspective view of a sheet holder, showing my new design;

FIG. 2 is a front elevation view thereof;

FIG. 3 is a rear elevation view thereof;

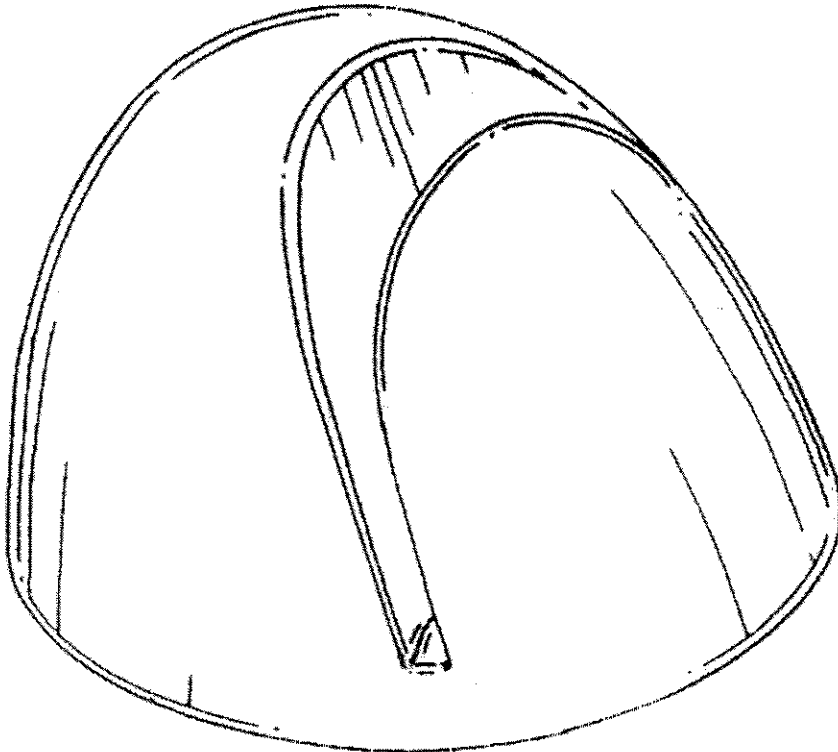
FIG. 4 is a right side elevation view thereof;

FIG. 5 is a left side elevation view thereof;

FIG. 6 is a bottom plan view thereof; and,

FIG. 7 is a top plan view thereof.

**1 Claim, 1 Drawing Sheet**



U.S. Patent

Dec. 28, 1999

Des. 418,166

Fig. 1

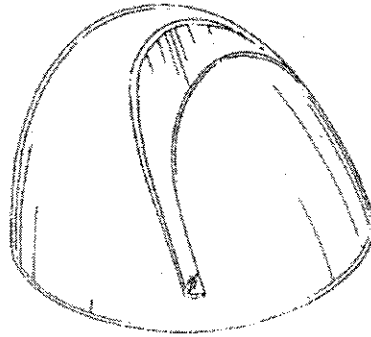


Fig. 2

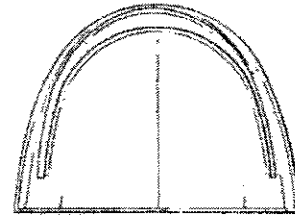


Fig. 3

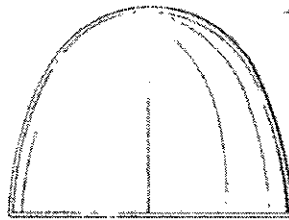


Fig. 4

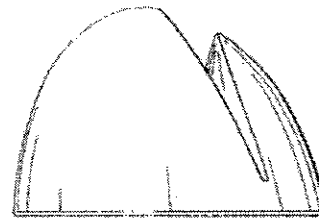


Fig. 5

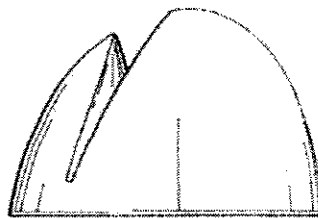


Fig. 7

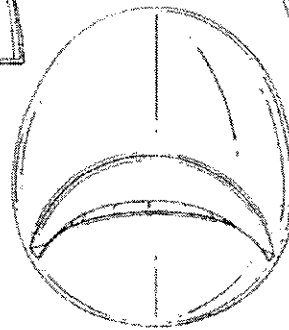
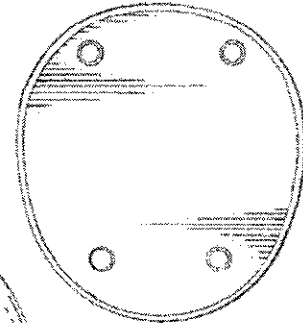
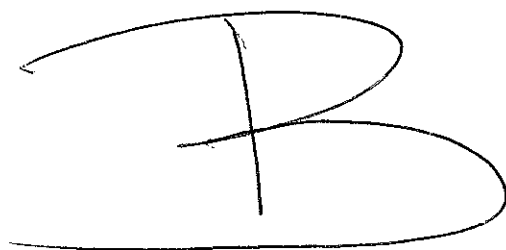


Fig. 6





A handwritten mark or signature in black ink, consisting of a large, stylized letter 'B' with a vertical line through the center, resembling a stylized 'B' or a signature.

